

1939

P13

O.F. 71.

Department of Revenue

OFFICE *of the Board of Revenue*

STATION *Yndras.*

A P. No. No. 315

(A. 417 + 38)

Dated 30-1-39

Pages in the file

(SUBJECT.)

Endowments - Charitable - (Bellary) - Kani
Choulory, Bellary - Lease of site - Resolution
of the Municipal Council, Bellary - Letter
Cr. O communicated



A474
Education and P.H. Department.

SECY.

11 JUL 1938

Memorandum No. 28776-1 P.H.(F) dated 8th July 1938.

From the Collector of Bellary No. 4455/37 B.4. dated the 11th June 1938

Encowments - Charitable - Bellary Municipality - Rani choultry -
Lease of site by the Municipal Council.

Referred to the Board of Revenue for remarks at an early date.

C.H. Masterman,
Secretary to Government..

To the Board of Revenue (with enclosure in original to be returned
with reply)

Forwarded
(By Order)

Superintendent.



Ref. No. 20
Sent on 16.7.38

Recd
12/7/38

[Signature]
Superintendent.

Office copy.

Copy of letter from J.W.Pritchard Esq., I.C.S. Collector of Bellary No. 4455/37-B4 dated 11th June 1938.

Leases - Bellary District - Taluk and Town - S.No. 505 Rani choultry - Garden in the Rani-choultry, leased for storing bricks - Bellary Municipal Councils' resolution - Cancellation - recommended.

S.No. 505 of Bellary village is a chatram poramboke according to Revenue accounts. There is a choultry in the S.No. called the Prince of Wales Choultry alias Ranichoultry. The choultry together with its out-houses and all articles appertaining thereto, was vested in the Bellary Municipality by a notification published at page 170, Part I-A of Fort St. George Gazette of 13-8-1895. A sketch of the S.No. showing the choultry and its appurtenances is enclosed.

2. In a portion of the Survey number, there is an abandoned garden. The municipality has, by its resolution No. 14 of 24-8-1936, leased the garden site at the rate of Rs. a month for storing brick and lime. According to rule 5 of the Rules appended to G.O.No.4273 L.A. dated 17th November 1937, no lease shall be granted by the municipality in contravention of the conditions subject to which such property becomes vested in the municipality. In the present case, the land was vested in the municipality for a specific purpose Viz., choultry. The action of the municipality in ~~leasing~~ leasing the garden site which is an appurtenance of the choultry, for storing brick and lime, is therefore an infringement of the conditions under which the land was vested in the municipality. I consider the municipality is wrong in passing the resolution and it requires cancellation by Government.

3. A copy of the resolution is enclosed.

Extract

4

Extract from the Proceedings of the Municipal Council
Bellary passed at its meeting held on Monday the 24-8-36 at ~~5-30~~
5-30 P.M.

13. Petition dated 16-7-1936 of Mr. C.Basha Saib Mortar dealer Cowl Bazaar, Ballary, requesting to lease him the garden near the Rani Chatram for storing bricks, chunam, mortar etc. and the office note thereon requesting to fix the amount and period of lease in case the council thinks of leasing out this garden.

Resolution:- To be leased out at the rate of Rs.3/-
per month.

i. N. Narayana Rao
Chairman M.C.

L.A.Dept.

The question relates to the lease of land vested in the Bellary Municipal Council for a specific purpose viz. choultry. The choultry to which the land in question is attached is an endowed one. The subject is one for consideration by Education and Public Health department. This may be transferred to E. and P.H. U.O.

(Intd.) T.S.R.
2-7-38.

E. & P.H.U.O. 28776

L.A.U.O.No.16628-1.
2-7-38.

M.R.V./31-8-38.

Mr. Rao 31/8

五

ML

7/11/53

C.F. 1 .

DRAFT FOR APPROVAL.

Date:

Initials.

SUBJECT :—

When received for
fair copying ..

When copied ..

When examined..

When signed *9/9*

When despatched.

READ AGAIN

READ ALSO :—

A No. 4174/38

From the

Govt. Engr & P. H.
Collector of B. Dept.

-No. _____,

dated 8-7 1938

Order Ms.

Ms.

No

No.

No. _____, dated _____

-19

refce A4174/38-1 on 30.8.38

Submitted to the Govt.

2 The Board accepts the

p208

collector's view and ~~assignment~~

Considers that the Municipal

Council Bellary should solve

Have leased the site in

question for strong back

and pine.

secy to the Govt. Edw &

D. H. Debel.

with the Collier's letter & its
incls. & old m/age

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Please keep O/C
of top 1 (6) to 2 of

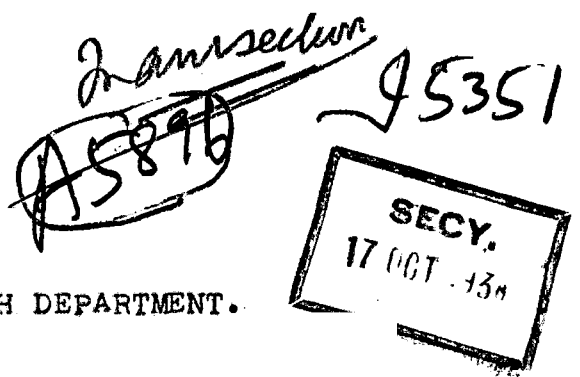
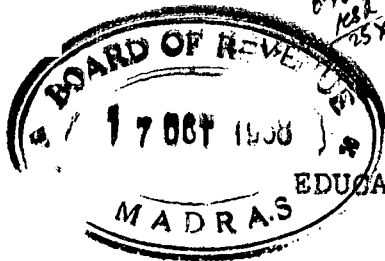
06 124

2825838
38

Issue for now

16.

276
25808



EDUCATION AND PUBLIC HEALTH DEPARTMENT.

Memorandum No. 28776-2 F., dated 14th October 1938.

Charitable institution - Rani Choultry, Bellary-
Lease of a portion by the Bellary Municipal
Council for storing bricks etc. - Cancellation.

not put up
7.4 c. b
The Prince of Wales Choultry alias Rani Choultry which stands on S.No.505 of Bellary village (Chatram Poromboke according to Revenue accounts) was, with its out houses and all articles appertaining thereto, transferred to and vested in the Bellary Municipal Council under G.O.No.1272 M., dated 6th August 1895 for management as a choultry as agreed to by it in its resolution dated the 5th June 1895. But in its resolution No.13, dated 24th August 1936, the Council has approved the lease of a portion of the site of choultry for storing bricks, chunam etc. in contravention of R rule II(1) of the rules for the acquisition and transfer of immovable property by local bodies.

The Municipal Council is requested to show cause on or before 15th November 1938 why the resolution granting the lease should not be cancelled by Government under Section 36(1)(a) of the District Municipalities Act.

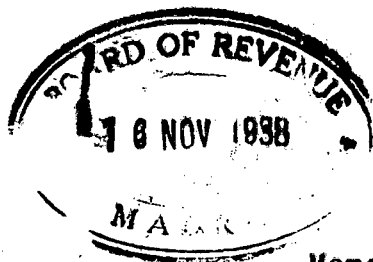
C. H. Masterman,
Secretary to Government.

7.5 c. b
7.3-4 c. b
To the Commissioner, Bellary Municipality, through the Chairman,
Board of Revenue (with reference to letter No.4174A, dated
30th August 1938).
Collector of Bellary (with reference to his letter No.4455/37
dated 11th June 1938).

Forwarded
(By Order)

T.P.S.

S. P. S. S. S. S.
Superintendent.
UK



9
95828
Education & Public Health
Department.

Memorandum No. 28776-3 F., dated 12th November, 1938

62
17/11/38 p. 70-6
Subject:- Endowment - Charitable - Ranichoultty, Bellary -
Lease of site - Cancellation of resolutions -
Extension of time for submitting explanation, called
for - in Memorandum 28776-2 F dated 14th October 1938.

From the Commissioner, Bellary Municipality Sc.No. 414/A2. dated
4th November 1938.

Extension of time upto 15th December 1938 is granted
as requested by the Municipal Council.

No further extension will be granted.

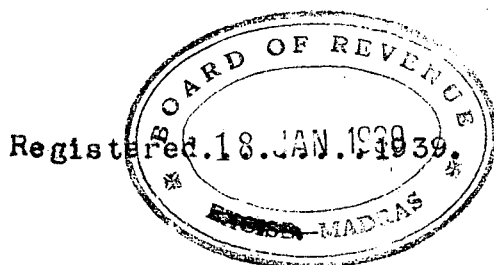
S.R.Kaiwar,
Under Secretary to Govt.

To the Commissioner, Bellary Municipality through the Chairman.
" Board of Revenue.
" Collector of Bellary.

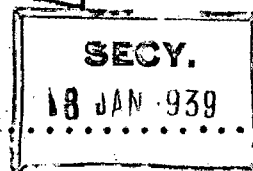
Forwarded
(By Order)

vkcr.14.11.

Daniel
Superintendent.
RW



Registered 18 JAN 1939



Abstract.

Endowment - Charitable - Rani Choultry, Bellary - Lease of site - Resolution of the Municipal Council, Bellary - Cancelled.

Education and Public Health Department.

P.O.No.Ms.138 P.H.,

Dated 16th January '39.

Read the following :-

From the Collector of Bellary, No.4455/37-B.4, dated 11-6-1938.
From the Board of Revenue, No.A.4174/38-1, dated 30-8-1938.
From the Commissioner, Bellary Municipality, S.C.No.414/A.2, dated 23rd December 1938.

ORDER :-

The Government Memorandum No.28776-2 F., dated the 14th October 1938, the Municipal Council, Bellary, was requested to show cause why the resolution of the Council, dated 24th August '36 leasing the garden attached to the Rani choultry, Bellary. should not be cancelled by Government under Section 36(1)(a) of the District Municipalities Act, as being an infringement of the conditions under which the land attached to the choultry was vested in the Municipality. The Municipal Council in its resolution dated 19th December 1938 reports that as it was not in possession of all the facts of the case at the time the land was leased out and it has no cause to show. Under the powers vested in them by Section 36(1)(a) of the District Municipalities Act, 1920, the Government cancel the resolution, dated 24th August 1936 of the Municipal Council, Bellary, leasing out the garden attached to the Rani choultry, Bellary.

(By Order of His Excellency the Governor)

C. H. Masterman,
Secretary to Government.

To the Commissioner, Bellary Municipality,
through the Chairman.

,, Board of Revenue.
,, Examiner of Local Fund Accounts.

(True Copy)

Forwarded
(By Order)

T.P.S.

Superintendent.

DRAFT FOR APPROVAL.

	Date.	Initials.	SUBJECT:-
When received for fair copying --	20/11	[Signature]	Endowment - Charitable - (Bellary)
When copied --			Rani Choulbry, Bellary - Hease of
When examined --	2/12	[Signature]	Site - Resolution of the Municipal
When signed	4/12	[Signature]	Council, Bellary - Cancelled -
When despatched			G.O communicated

READ AGAIN _____, dated _____ 19____

READ ALSO:—

READ ALSO:-
p. 1. c. 6 No. A. 474 From the Gout. Exp. H. Memo, No. 28776-1, dated 8-7-1938, ^{PH} (F)

1. 5c b. " Board's Ry. A. 4174/38-1 " 30-8-1938

h. 7 c. b. J. 5351 Trout. Neuh. E. P. H. 38776-2 F 14-10-38
 1. 9 c. b. J. 5828 " " " " " " 11-3 F 12-11-1938

Order No. 138 P.H. 16-1-39-

Order Ms. No. 215, dated 30-1-1939
Resolution Rout.

Communicated to the Collector
of Bellary.

400
 24100
 27100

has
 287169

To the Collector of Bellary

Endowment's charitable (U.S.)

Bellary (n & town. Rani chunling.

- Leasing of garden site.

regularity.

[A no. 4174/38]

Govt. memo of 8.7.38/11-7-38

To Secy.

Regd. Smt. 16.7.38
Recd. Secy 15.8.38

These are the Collector's

letter at top (1) 2 of and the Govt

memo review at p. 1 of.

p. 2 of.

2 As observed by the Collector

the action of the Municipal Council

Wp of the sketch,
at p. 30.

in leasing the garden site for

storing brick & lime is contrary

to the conditions of leasing the

(P)

site in the Council for use as

chunling. The Collector's view

may be accepted & the Govt.

ON.

The Govt ref was received on 11 July.

informed accordingly

When has the file been since 10.

Do not find

It can have been circulated at once.

dg
22.8
11/38
25858

Lt -
2678

2678
27/10

Edn. Smt. - 27/10
passed by secy - p. 30

SECY.
27 11 38

dg
27/10
38

Secy

3

Routine Vote

To Secy

Please see the Secy's remarks
on the margin of p. 114.7 below.

2. The paper was received in
the Section on the morning of 12.7.38
The requisition to the M.R.O. for
certain old records was sent on 16²
38
and the records were received through
the Govt on 15.8.38 - vide the date
sent at (15). This fact was noted at
the top of the O.R. itself when the file
was submitted to Secy for orders -
vide top of p. 114.7 below.

dy.

39

38

54

55/88

Seen by
6/8

may be awaited
HRS
18/11/38
21.11.38

A.5 C.6 [cleared as Board's Ref. A.4174/38-1 dated 30-8-38
2.11.38 [Read J. 334 G.O. No. No. 138 P.H. dated 16-1-39

A.5 (Sett.)

To A.5 (Sett.)

The G.O. at y. 11 c. 6 may be communicated
to the Collector of Bellary. Draft submitted.

HRS
28/11/39
28/11/39